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Working Party on the Transport of Dangerous Goods

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Item 7 of the provisional agenda
Programme of work

Biennial evaluations

Note by the secretariat*

Introduction

1. During the 103rd session, the secretariat presented a draft overview of the performance assessment of the activities of the Working Party in informal document INF.8.

2. As requested by the Working Party (see ECE/TRANS/WP.15/237, paragraph 60), a revised and updated version of the biennial evaluation of the activities of the Working Party for 2016–2017 is presented in Annex I and a draft biennial evaluation plan for the period 2018-2019 is presented in Annex II.

* In accordance with the programme of work of the Inland Transport Committee for 2016-2017 (ECE/TRANS/2016/28/Add.1 (9.1)).

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Annex I

Programme performance assessment for 2016–2017

I. Cluster 9.a. Transport of Dangerous Goods (UNECE)

A. Expected accomplishment (EA 9.a.)

1. Adoption of amendments to the ADR[1] and, through joint activities, with the Intergovernmental Organization for International Carriage by Rail (OTIF) and the Central Commission for the Navigation of the Rhine (CCNR), to the RID[2] and the ADN[3] respectively, intended to maintain the necessary level of safety, security and protection of the environment in a uniform, harmonized and coherent system of transport of dangerous goods regulations based on the United Nations Recommendations on the Transport of Dangerous Goods, and effective implementation through international and national legislation.

B. Indicators of achievement

1. *Amendments to ADR, RID and ADN adopted in 2015 and 2016 and entered into force by 1 January 2017 for international transport and made applicable to domestic traffic in all European Union and European Economic Area countries by 1 July 2017, reflecting, inter alia, the 2015 United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations (nineteenth revised edition) (IA 9.a. (a))*

Performance measures:

Baseline 2014-2015: 1 set of amendments to ADR, RID and ADN

Target 2016–2017: 1 set of amendments to each legal instrument

Actual performance 2016–2017: 1 set of amendments to each legal instrument (UN Depositary notifications C.N.443.2016.TREATIES.XI.B.14 and C.N.744.2016.TREATIES.XI.B.14; C.N.444.2016.TREATIES-XI.D.6/C.N.743.2016.TREATIES-XI.D.6 and C.N.607.2016.TREATIES-XI.D.6/C.N.897.2016.TREATIES-XI.D.6; OTIF Notifications RID-16003-CE54, OTIF/RID/NOT/2017 and RID-16009-CE54).

2. *Publication of the consolidated 2017 revised editions of ADR and ADN before end 2016 (IA 9.a. (b))*

Performance measures:

Baseline 2014-2015: 1 ADR, 1 ADN

Target 2016-2017: 1 ADR, 1 ADN

Actual performance 2016-2017: 1 ADR (ECE/TRANS/257, Vols I and II, Sales No. E.16.VIII.1), 1 ADN (ECE/TRANS/258, Vols I and II, Sales No. E.16.VIII.3)

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[1] European Agreement concerning the International Carriage of Dangerous Goods by Road

[2] Regulations concerning the International Carriage of Dangerous Goods by Rail

[3] European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways

C. Performance assessment

2. Confronted with the need to facilitate international movement of goods, and improve safety and security of transport, Contracting Parties continued to update ADR, RID and ADN taking into account new technical developments, new requirements and needs in transport. To ensure harmonisation between modes, the Contracting Parties adopted amendments to transpose the nineteenth revised edition of the United Nations Model Regulations (2015) without reopening technical discussions (e.g. as regards the carriage of viscous liquids; gases; polymerizing substances; internal combustion engines or machinery powered by flammable liquids or gases; electric vehicles; lithium batteries and ammonia dispensing systems). They concentrated their work on mode specific issues.

3. For road transport, the Working Party on the Transport of Dangerous Goods adopted new and revised requirements for the construction of vehicles; the examinations for safety advisers and drivers of vehicles carrying dangerous goods and the contents of the instructions in writing to be carried in the vehicles. Amendments to ADR and RID entered into force on 1 January 2017.

4. Corresponding amendments to ADN were developed by the ADN Safety Committee and adopted by the ADN Administrative Committee, together with additional amendments specific to inland navigation, and entered into force simultaneously on 1 January 2017.

5. Directive 2008/68/EC requiring member States of the European Union and of the European Economic Area to apply the provisions of ADR, RID and ADN to domestic traffic was amended accordingly by Commission Directive 2016/2309 of 16 December 2016 requesting the application of the amended provisions by 30 June 2017, at the latest.

6. The secretariat prepared a consolidated version of ADR and ADN in English and French, which was published in June 2016 for ADR (ECE/TRANS/257, Vols I and II) and October 2016 for ADN (ECE/TRANS/258). The Russian versions of ADR and ADN were published in December 2016 respectively.

D. Lessons learned/areas needing improvement

7. The mechanisms in place in the ECE region for regulating inland transport of dangerous goods continues to work well. The cooperation of ECE with OTIF, CCNR and their commitment to transpose the provisions recommended by the United Nations into the three main legal instruments (RID/ADR/ADN) regulating international transport of dangerous goods by rail, road and inland waterways in the region resulted in full harmonization of these instruments between themselves and with similar instruments regulating maritime and air transport. This harmonization is essential for the facilitation of international trade and multimodal transport. The commitment of the European Union to apply the provisions of RID, ADR and ADN to domestic traffic contributes greatly to this global harmonization. This national application of RID, ADR and ADN implies also that European Union countries attach an increasing importance to the consistency of the mode specific provisions of RID, ADR and ADN with the European standards developed by the European Committee for Standardization (CEN), many of which are now made of mandatory application through RID, ADR and ADN although many parties are not involved in their elaboration.

8. Attendance at meetings showed a high level of participation of European Unions countries, Norway, Switzerland, the Russian Federation, Turkey and Ukraine and Non-Governmental Organizations, as usual. Nevertheless, several countries with economies in transition such as Albania, Azerbaijan, Belarus, Georgia, Moldova, the Former Yugoslav Republic of Macedonia, Kazakhstan, Morocco and Tunisia remained unrepresented, likely due to financial constraints. Stronger participation from such countries would be to their benefit, not only because of a better involvement in the updating process, but also to share

and discuss implementation problems with more experienced countries. Unfortunately funds and staff resources for technical assistance remain scarce, however the Sustainable Transport Division could participate in 2016 in the preparation of the ECE Road Safety Performance Review in Georgia which included a part on ADR and transport of dangerous goods. The Sustainable Transport Division also participated in a series of seminars launched by the European Union in the context of its EuroMed project in North Africa and Middle East countries intended to promote road transport ECE legal instruments, including ADR and in events organised by the International Road Union (IRU) to promote the ADR in countries of the Arab League and in China. In 2016, the EuroMed project also facilitated the participation of representatives of Algeria, Israel, Jordan and Tunisia in the meetings. In 2017, the Sustainable Transport Division also participated in an event in the Russian Federation to present the new amendments to ADR and in conferences and workshops in China and Mongolia where the possible accession to ADR is discussed.

II. Cluster 9.b. Transport of Dangerous Goods (UNECE)

A. Expected accomplishment (EA 9.b.)

9. Adoption of a road map on how to set up the administrative structures required for implementation of ADR. Development of recommendations and/or guidelines based on this road map.

B. Indicators of achievement

Road map adopted and recommendations/guidelines available (IA 9.b.)

Performance measures: Target: 2016-2017: Not applicable

III. Cluster 9.c. Transport of Dangerous Goods (UNECE)

A. Expected accomplishment (EA 9.c.)

10. Follow-up of the implementation of the ADR road map on accession and implementation (ECE/TRANS/238) for new and existing ADR Contracting Parties.

B. Indicators of achievement

ADR country information and obligatory reporting information (information on driver training certificates and information as indicated in Annex I of the road map) completed and published on ECE website (IA 9.c.)

Performance measures:

Target: 2016-2017: Information available and updated for 75% of the Contracting parties to ADR

Actual performance 2016-2017: Information available for 75 per cent of the Contracting parties to ADR

C. Performance assessment

11. With the accession of Georgia on 19 September 2016, there are now 49 Contracting Parties to ADR.

12. On the ECE website, the page "country information"[4] contains the addresses of the authorities and bodies designated by them which are competent in accordance with national law to implement ADR. This page is kept up-to-date by the secretariat in accordance with the information received from the Contracting Parties. For 35 countries, the information is detailed and updated. For 11 other countries (Albania, Andorra, Azerbaijan, Belarus, Cyprus, Estonia, Iceland, Kazakhstan, Liechtenstein, Montenegro, Morocco), the contact details of the main competent authority are available. For two countries (Georgia and Tajikistan) the country information is missing.

13. The page "ADR Drivers certificates"[5] contains samples of the ADR driver training certificates issued in accordance with 8.2.2.8.5 of ADR. 34 countries sent their models of certificates. It is not known whether certificates are delivered or not in the remaining countries.

14. The page "Linguistic versions (ADR, Instructions in writing)"[6] contains the official translations of the instructions in writing in accordance with 5.4.3.4 of ADR sent by the competent authorities. As an aid during an accident emergency situation that may occur or arise during carriage, these instructions in writing shall be provided to the members of the vehicle crew in language(s) that each member can read and understand. For 10 countries (Albania, Andorra, Azerbaijan, Croatia, Iceland, Montenegro, Morocco, The Former Yugoslav Republic of Macedonia, Tunisia, Ukraine), the translation in the official language(s) of the country is not available on the website. Other main non official languages used in the country may be available. For the other countries (79 per cent), at least one official language is available.

15. The page "Multilateral agreements"[7] contains the list of valid bilateral and multilateral agreements concluded in accordance with Section 1.5.1 of ADR. This page is weekly updated by the secretariat with the information received from the ADR competent authorities. The information available on this page is considered as comprehensive.

16. The page "Accident reports"[8] contains the reports on serious accidents or incidents, notified by the Contracting Parties according to 1.8.5.2 of ADR. Since 2004, the reports received from Contracting Parties have been published on the ECE website, but only with the green light from the submitting Competent Authority as some reports may contain confidential information.

D. Lessons learned/areas needing improvement

[17. At its 103rd session, the Working Party concluded that more than 75 per cent of the information was available. The country information could be improved for the countries for which only the contact details of the main competent authority are available. The Working Party indicated that at least an email address would be useful to facilitate communications between contracting parties. The countries for which this information is not available are invited to communicate to the ECE secretariat the addresses of the authorities and bodies designated by them which are competent in accordance with national law to implement ADR, referring in each case to the relevant requirement of ADR and giving the addresses to which the relevant applications should be made. When appropriate, the countries are invited to confirm that only the main competent authority is competent for all the requirements of ADR.]

[4] http://www.unece.org/trans/danger/publi/adr/country-info_e.html
[5] http://www.unece.org/trans/danger/publi/adr/adr_certificates.html
[6] http://www.unece.org/trans/danger/publi/adr/adr_linguistic_e.html
[7] http://www.unece.org/trans/danger/multi/multi.html
[8] http://www.unece.org/trans/danger/publi/adr/accidents.html

18. The Working Party also invited countries that have not done so to send the models of ADR Drivers certificates they delivered or to confirm that no certificates were delivered in their country if appropriate. [The Working Party requested the secretariat to send an official request to these countries in this respect.]

Annex II

Biennial Evaluation plan

Objective of the Organization: To improve sustainable inland transport with a view to making it safe, clean and competitive, both for freight and personal mobility

Expected accomplishments of the Secretariat	*Indicators of achievement*	*Expected accomplishments and indicators of achievement of the Biennial Evaluation 2018-2019*
(a) Strengthened legal and regulatory framework for international land transport (road, rail, inland waterway and intermodal transport), transport infrastructure, border-crossing facilitation, transport of dangerous goods, vehicle construction and other transport-related services	(i) Increased number of United Nations legal instruments on transport administered by ECE that are in force	
	(ii) Number of new vehicle regulations and amendments adopted	
	(iii) Number of international legal instruments brought into compliance with the latest revised edition of the United Nations Recommendations on the Transport of Dangerous Goods	EA 9.a. Adoption of amendments to the ADR and, through joint activities, with the Intergovernmental Organization for International Carriage by Rail (OTIF) and the Central Commission for the Navigation of the Rhine (CCNR), to the RID and the ADN respectively, intended to maintain the necessary level of safety, security and protection of the environment in a uniform, harmonized and coherent system of transport of dangerous goods regulations based on the United Nations Recommendations on the Transport of Dangerous Goods, and effective implementation through international and national legislation. IA 9.a. (a) Amendments to ADR, RID and ADN adopted in 2017 and 2018 and entered into force by 1 January 2019 for international transport and made applicable to domestic traffic in all EU and European Economic Area (EEA) countries by 1 July 2019, reflecting, inter alia, the 2017 United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations (twentieth revised edition) *Performance measures*: Baseline 2016–2017: 1 set of amendments to each legal instrument Target 2018–2019: 1 set of amendments to each legal instrument

Objective of the Organization: To improve sustainable inland transport with a view to making it safe, clean and competitive, both for freight and personal mobility

Expected accomplishments of the Secretariat	*Indicators of achievement*	*Expected accomplishments and indicators of achievement of the Biennial Evaluation 2018-2019*
		IA 9.a. (b) Publication of the consolidated 2019 revised editions of ADR and ADN before end 2018 *Performance measures*: Baseline 2016–2017: 1 ADR, 1 ADN Target 2018–2019: 1 ADR, 1 ADN
(b) Greater geographical coverage and more effective monitoring of implementation of United Nations legal instruments and recommendations on transport administered by ECE	(i) Increased number of Contracting Parties, including from outside the region, to United Nations legal instruments and recommendations on transport administered by ECE (ii) Increased number of mechanisms agreed by Contracting Parties for monitoring the implementation of United Nations legal instruments and recommendations administered by ECE	EA 9.b. Follow-up of the implementation of the ADR road map on accession and implementation (ECE/TRANS/238) for new and existing ADR Contracting Parties. IA 9.b. ADR country information and obligatory reporting information (information on driver training certificates and information as indicated in Annex I of the road map) completed and published on ECE website Performance measures: Baseline 2016–2017: Information available for 75% of the Contracting parties to ADR Target: Information available and updated for 75% of the Contracting parties to ADR
(c) Enhanced capacity in ECE member States, particularly in landlocked developing countries, for the development of the pan-European and transcontinental transport infrastructure and transport facilitation measures	(i) Increased number of Contracting Parties to four key transport infrastructure agreements (ii) Increased number of member States using the ECE common framework for subregional transport infrastructure development (Euro-Asian Transport Links project, Trans-European Motorway project and Trans-European Railway project)	

Objective of the Organization: To improve sustainable inland transport with a view to making it safe, clean and competitive, both for freight and personal mobility

Expected accomplishments of the Secretariat	*Indicators of achievement*	*Expected accomplishments and indicators of achievement of the Biennial Evaluation 2018-2019*
(d) Strengthened capacity to implement relevant United Nations legal instruments, norms and regulations on transport, in particular in the countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia	(i) Increased number of countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia that report adopting measures to apply United Nations legal instruments, norms and regulations on transport administered by ECE	
	(ii) Increased number of ECE member States with established road safety improvement targets	